

ASSEMBLY BILL

No. 1656

Introduced by Assembly Member Goldberg

February 23, 2001

An act to amend Section 21701 of the Business and Professions Code, relating to self-service storage facilities.

LEGISLATIVE COUNSEL'S DIGEST

AB 1656, as introduced, Goldberg. Self-service storage facilities.

Existing law, the California Self Service Storage Facility Act, defines “self-service storage facility” for the purposes of that act.

This bill would delete a provision that excluded a warehouse from the definition of a self-service storage facility.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 21701 of the Business and Professions
2 Code is amended to read:
3 21701. For the purposes of this chapter, the following terms
4 shall have the following meanings:
5 (a) “Self-service storage facility” means real property
6 designed and used for the purpose of renting or leasing individual
7 storage space to occupants who are to have access to the space for
8 the purpose of storing and removing personal property or for
9 storing individual storage containers provided to occupants who
10 have exclusive use of the container for the purpose of storing and
11 removing personal property, whether or not the individual storage

1 containers are transported pursuant to Section 21701.1.
2 Self-service storage facility does not include a garage or other
3 storage area in a private residence. No occupant may use a
4 self-service storage facility for residential purposes. A self-service
5 storage facility is not a ~~warehouse~~, nor a public utility, as defined
6 in Section 216 of the Public Utilities Code. If an owner issues a
7 warehouse receipt, bill of lading, or other document of title for the
8 personal property stored, the owner and the occupant are subject
9 to the provisions of Division 7 (commencing with Section 7101)
10 of the Commercial Code, and the provisions of this chapter do not
11 apply.

12 (b) “Owner” means the owner, operator, lessor, or sublessor of
13 a self-service storage facility, his or her agent, or any other person
14 authorized by him or her to manage the facility, or to receive rent
15 from an occupant under a rental agreement, and no real estate
16 license is required.

17 (c) “Occupant” means a person, or his or her sublessee,
18 successor, or assign, who is entitled to the use of the storage space
19 at a self-service storage facility under a rental agreement, to the
20 exclusion of others.

21 (d) “Rental agreement” means any written agreement or lease
22 ~~which~~ *that* establishes or modifies the terms, conditions, rules, or
23 any other provision concerning the use and occupancy of a
24 self-service storage facility.

25 (e) “Personal property” means movable property not affixed
26 to land, and includes, but is not limited to, goods, merchandise,
27 furniture, and household items.

28 (f) “Last known address” means that address provided by the
29 occupant in the latest rental agreement, or the address provided by
30 the occupant in a subsequent written notice of a change of address.

